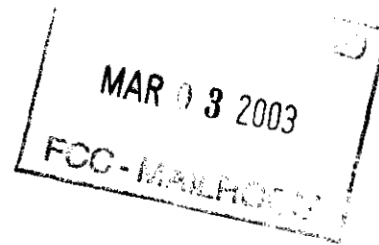


EX PARTE OR LATE FILED

02-277



FCC Chairman, Michael K. Powell
445 12th Street SW
Washington D.C. 20554

Dear Mr. Powell:

As a citizen and user of the air waves, I would like you to answer the enclosed Editorial Observer, point by point.

In the spirit of: THE AIRWAVES [used to] BELONG TO THE PEOPLE.

I think I heard you say on the news that the airwaves should be a good investment environment.

I don't see the connection between the two.

Sincerely,

A handwritten signature in cursive script, appearing to read "Daniel Goode".

Daniel Goode
Composer

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NY Times
2/20/03

Editorial Observer/BRENT STAPLES

The Trouble With Corporate Radio: The Day the Protest Music Died

Pop music played a crucial role in the national debate over the Vietnam War. By the late 1960's, radio stations across the country were crackling with blatantly political songs that became mainstream hits. After the National Guard killed four antiwar demonstrators at Kent State University in Ohio in the spring of 1970, Crosby, Stills, Nash and Young recorded a song, simply titled "Ohio," about the horror of the event, criticizing President Richard Nixon by name. The song was rushed onto the air while sentiment was still high, and became both an antiwar anthem and a huge moneymaker.

A comparable song about George W. Bush's rush to war in Iraq would have no chance at all today. There are plenty of angry people, many with prime music-buying demographics. But independent radio stations that once would have played edgy, political music have been gobbled up by corporations that control hundreds of stations and have no wish to rock the boat. Corporate own-

ership has changed what gets played — and who plays it. With a few exceptions, the disc jockeys who once existed to discover provocative new music have long since been put out to pasture. The new generation operates from play lists dictated by Corporate Central — lists that some D.J.'s describe as "wallpaper music."

Recording artists were seen as hysterics when they complained during the 1990's that radio was killing popular music by playing too little of it. But musicians have turned out to be the canaries in the coal mine — the first group to be affected by a 1996 federal law that allowed corporations to gobble up hundreds of stations, limiting expression over airwaves that are merely licensed to broadcasters but owned by the American public.

When a media giant swallows a station, it typically fires the staff and pipes in music along with something that resembles news via satellite. To make the local public think that things have remained the same, the

Consolidated ownership
has changed what we
hear on the air.

voice track system sometimes includes references to local matters sprinkled into the broadcast.

What my rock 'n' roll colleague William Safire describes as the "ruination of independent radio" started with corporatizing in the 1980's but took off dramatically when the Telecommunications Act of 1996 increased the number of stations that one entity could own in a single market and permitted companies to buy up as many stations nationally as their deep pockets would allow.

The new rules were billed as an effort to increase radio diversity, but they appear to have had the opposite effect. Under the old rules, the top two owners had 115 stations between them. Today, the top two own more

than 1,400 stations. In many major markets, a few corporations control 80 percent of the listenership or more.

Liberal Democrats are horrified by the legion of conservative talk show hosts who dominate the airwaves. But the problem stretches across party lines. National Journal reported last month that Representative Mark Foley, Republican of Florida, was finding it difficult to reach his constituents over the air since national radio companies moved into his district, reducing the number of local stations from five to one. Senator Byron Dorgan, Democrat of North Dakota, had a potential disaster in his district when a freight train carrying anhydrous ammonia derailed, releasing a deadly cloud over the city of Minot. When the emergency alert system failed, the police called the town radio stations, six of which are owned by the corporate giant Clear Channel. According to news accounts, no one answered the phone at the stations for more

than an hour and a half. Three hundred people were hospitalized, some partially blinded by the ammonia. Pets and livestock were killed.

The perils of consolidation can be seen clearly in the music world. Different stations play formats labeled "adult contemporary," "active rock," "contemporary hit radio" and so on. But studies show that the formats are often different in name only and that as many as 50 percent of the songs played in one format can be found in other formats as well. The point of these sterile play lists is to continually repeat songs that challenge nothing and no one, blending in large blocks of commercials.

Senator Russell Feingold of Wisconsin has introduced a bill that would require close scrutiny of mergers that could potentially put the majority of the country's radio stations in a single corporation's hands. Lawmakers who missed last month's Senate hearings on this issue should get hold of the testimony offered by the singer and songwriter

Don Henley, best known as a member of the Eagles, the rock band.

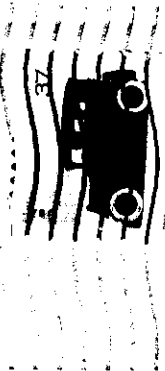
Mr. Henley's Senate testimony recalled the Congressional payola hearings of 1959-60, which showed the public how disc jockeys were accepting bribes to spin records on the air. Now, Mr. Henley said, record companies must pay large sums to "independent promoters," who intercede with radio conglomerates to get songs on the air. Those fees, Mr. Henley said in a recent telephone interview, sometimes reach \$400,000.

Which brings us back to the hypothetical pop song attacking George Bush. The odds against such a song reaching the air are steep from the outset, given a conservative corporate structure that controls thousands of stations. Record executives who know the lay of the land take the path of least resistance when deciding where to spend their promotional money. This flight to sameness and superficiality is narrowing the range of what Americans hear on the radio — and killing popular music.

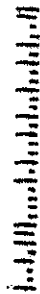
and classical
"new music"

PAID
DANIEL GOODE
167 SPRING ST 4B
NEW YORK, NY 10012

MAR 03 2003



Chairman Michael K. Powell
Federal Communications Commission
445 12th St. SW
Washington D.C. 20554



EX PARTE OR LATE FILED

02-277

Mr. Kevin Martin
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

Feb. 24, 2003

Dear Mr. Martin:

We understand the Commission is considering repeal of a rule which limits the number of TV stations, radio stations and newspapers that one corporation or person may own in the same community.

We think such a repeal would be a TERRIBLE MISTAKE and certainly not in the public interest. The inevitable result of such action, we believe, would be further consolidation of media outlets in the hands of fewer and fewer corporations and individuals. We have already seen this happen in radio.

Following previous relaxation of the FCC rule limiting same-ownership of radio stations, the Clear Channel corporation now owns three of the four stations in Frankfort. A longtime announcer at one of the stations, who had become something of an institution in terms of public-service programs, was let go. Now, more of the program content is produced outside Frankfort by those with less knowledge of and concern about Frankfort.

Consolidation allows certain efficiencies which may be justified in manufacturing. But when ownership of newsrooms is consolidated, there are fewer reporters to keep watch on government and fewer voices of opinion to be heard. Consolidation chips away at public vigilance, which, as was said long ago, is the price of freedom.

Repeal of the present rule almost certainly will lead to more chain ownership of newspapers, and we have seen the effects of that in our state's largest newspaper, the Louisville Courier-Journal. The C-J, under the former ownership of a Louisville family, was rated among the nation's top 10 papers and won several Pulitzer prizes. Since it was bought by the nation's largest newspaper chain, Gannett, based in Virginia, the paper devotes less resources and space to reporting on state and local government.

Please OPPOSE any relaxation of the present cross-ownership rule. Repeal of the rule might be in the interest of large media corporations, but it would NOT be in the public interest which, as we understand it, you are directed by law to uphold.

Respectfully submitted,

Livingston Taylor
Sarah Taylor

Livingston and Sarah Taylor
1196 Nineveh Rd.
Frankfort, KY 40601

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MAR 17 2003

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